

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION II
26 FEDERAL PLAZA

NEW YORK, NY 10278

FACSIMILE REQUEST AND COVER SHEET

PLEASE PRINT IN BLACK INK ONLY

TO:

DWAYNE HARRINGTON

DATE/PHONE

JAN 07 191

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340-6899

REGION

EPA - EDISON N.J.

FROM:

SUSAN H. S. MONKS

PHONE

FTS 264-4940

MAIL CODE

OFFICE

EPA - ORC NJSUP

DATE

~~12/20/90~~ 1/7/91

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Please provide comments by Jan. 11, 1991.

Thank you.

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268896



Property Concepts**REQUEST FOR INFORMATION**

1. a. State the correct legal name of Property Concepts, Inc. (hereinafter "Property Concepts")
- b. State the names and addresses of the president and/or the chairman of the board, and other presiding officers of Property Concepts.
- c. For each person identified in (b) above, explain in detail for the period of 1980 to the present:
 - 1) each person's responsibility, including but not limited to his/her management duties.
 - 2) the amount and value of shares owned.
- d. Identify the state of incorporation of Property Concepts and its agent of service of process in the State of incorporation and in New Jersey.
- e. Provide a copy of Property Concept's "Certificate of Incorporation" and any amendments thereto.
- f. If Property Concepts is a subsidiary or affiliate of another company, or has subsidiaries, or is a successor

3. Does or did Property Concepts own real property at 144-160 Van Riper Avenue, Elmwood Park, New Jersey (hereinafter "the Site")? if so, provide a copy of the

- a. deed, and
 - b. the purchase and sale agreement, and all other documents evidencing or relating to such ownership.
4. For the time period of 1988 to the present, identify and describe in detail all transactions (including, but not limited to, sales, leases, and rentals) which Property Concepts has had in connection with the Site. For each transaction:
- a. Identify the portion(s) of the Site which was the subject of the transaction(s) and provide the period(s) of time.
 - b. Identify the name(s) of each person and/or entity involved and the nature of their operations at the Site.
 - c. Identify in detail the amount and form of payment to you (i.e., cash, monthly check delivered personally at the Site, check delivered by mail, etc.).
 - d. Provide name(s) and address(es) of any agent(s) you may have used to arrange any of the transactions. Provide copies of contact(s) and/or agreement(s) with your agent(s).

5. When and how did Property Concepts first know or have reason to know that CERCLA waste materials were or may have been generated, treated, stored or disposed of at the Site?
 - a. did you take any measures to abate and/or stop the contamination? If so, explain in detail.
 - b. Did you notify anyone of the contamination? If so, explain in detail.
6. Did Property Concepts know or have reason to know that any CERCLA waste material was disposed of at the Site prior to your acquisition. If so, :
 - a. Describe in detail how you became aware. Provide all relevant documentation.
 - b. Describe all investigations and inspections you undertook prior to your purchase. Provide all pertinent documentation.
7. At the time of the Site transfer were any agreements made with respect to the removal of the containers and vessels located at the Site? If so, provide all documents relating to the agreement(s).

8. During Property Concept's ownership, describe all releases or threats of releases of any kind into the environment of any CERCLA waste at or from the Site, including but not limited to:

- a. When such releases or threat of releases occurred.
- b. How the releases occurred.
- c. What CERCLA waste materials were released.
- d. What amount of each such CERCLA waste materials was so released.
- e. Where such releases occurred.
- f. Any and all activities undertaken by Property Concepts, in response to each such release or threatened release.
- g. Any and all investigations of the circumstances, nature, extent or location of each such release or threatened release including, the results of any soil, water (ground and surface), or air testing that was undertaken.

- h. Provide names, addresses and telephone numbers of all persons with information relating to subparts a. through g. of this Question.
9. Identify all persons, including but not limited to Property Concepts's employees, who had knowledge, information, or documents about the generation, use, purchase, treatment, storage, disposal or transportation other handling of CERCLA waste materials at or from the Site.
10. During the period of Property Concept's ownership of the Site, describe any and all additions, demolitions or changes of any kind that have taken place at the Site, and state the dates on which such changes occurred.
11. Provide all existing technical or analytical information in your possession about the Site, including but not limited to data and documents related to soil, water (ground and surface), geology, hydrology or air quality on and about the Site.
12. If any release or threatened release identified in response to Question [#8], above, occurred into any subsurface disposal system or floor drain inside or under any buildings located on the Site, further identify:

- a. Where precisely the disposal system or floor drains are and were located.
 - b. When the disposal system or floor drains were installed.
 - c. Whether the disposal system or floor drains were connected to pipes, and if so, the purpose of such pipes.
 - d. Where such pipes are or were located and the discharge route of waste.
 - e. When such pipes were installed.
 - f. How and when such pipes were replaced, repaired, or otherwise changed. How about where do they discharge?
13. Provide a list of all property and casualty insurance policies (e.g. Comprehensive General Facility, Environmental Impairment Liability and Automobile Liability policies) and Directors and Officers policies for the period 1987 through the present that you have had in connection with the Site. Specify the insurer, policy, effective dates, and state per occurrence policy Limits for each policy. Provide copies of all policies.

14. For Property Concepts and each of its presiding officers:

- a. state your total assets and liabilities for each of the last three fiscal years.
- b. provide copies of your income and balance sheet statements for the last three fiscal years.
- c. provide copies of your federal and state income tax returns for the last three fiscal years.

15. For Property Concepts and each of its presiding officers, identify in detail:

- a. All ownership interest(s) in any real property.

List each parcel of property, and state the estimated value of each.

- b. All ownership interest(s) in personal property, exclusive of items worth less than fifty dollars. List and state the estimated value of each.

- c. All ownership interest(s) in any business. List each business and the present value of your interest in the business and its percentage of the total value of the business.

- d. All ownership interest(s) in any stocks, bonds, or other securities of any class in any government, governmental organization, company, firm or corporation, whether foreign or domestic.
 - e. All business bank accounts, personal checking or savings account, or joint savings or checking accounts with anyone else. List each account and the estimated balance in each account as of the date you answer this question.
 - f. All safe deposit box(es) or other depository for securities, cash or other valuable.
 - g. Is any of the real or personal identified above, either individually, jointly, or otherwise, encumbered by either a real estate mortgage, chattel mortgage or any other type of lien? If so, describe in detail.
16. Submit any additional information which may help EPA to identify companies or individuals who disposed of "CERCLA waste material" at the site.
17. State the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal

knowledge of the responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding.

Synkote Paint Co.

REQUEST FOR INFORMATION

1. a. State the correct legal name of Synkote Paint Co. (hereinafter, the "Synkote").
- b. State the names and addresses of the president and/or the chairman of the board, or other presiding officers of Synkote.
- c. Identify the state of incorporation of Synkote and Synkote's agent of service of process in the state of incorporation and in New Jersey.
- d. Provide a copy of Synkote's "Certificate of Incorporation" and any amendments thereto.
- e. If Synkote is a subsidiary or affiliate of another company, or has subsidiaries, or is a successor to another company, identify these related companies. For each related company, describe the relationship to Synkote indicate date and manner in which each relationship was established.
- f. Identify any predecessor organizations and the dates that such companies became part of Synkote.

20. Did any of the loan agreements made with Synkote Paints reserve any power to the National Community Bank of New Jersey in the operation or ownership of the Site? If so, describe the nature and scope of the control.
21. State and explain the following and submit copies of all relevant documents for each answer.
- a. When did you and/or Synkote Paints default on their loans?
 - b. When did the Bank commence foreclosure proceedings?
 - c. Was the Site in the possession of the Bank or the borrower after foreclosure?
 - d. When did the Bank obtain a judgement?
 - e. When did the Sheriff sell the Site?
22. State whether there exist any agreements or contracts (other than an insurance policy) which may indemnify your company, present owners of shares in the company, for any liability that may result under CERCLA for any release at the Site. If so, please provide copies of all such agreements or

Synkote Paint Co.

REQUEST FOR INFORMATION

1. a. State the correct legal name of Synkote Paint Co.
(hereinafter, the "Synkote").
- b. State the names and addresses of the president and/or the chairman of the board, or other presiding officers of Synkote.
- c. Identify the state of incorporation of Synkote and Synkote's agent of service of process in the state of incorporation and in New Jersey.
- d. Provide a copy of Synkote's "Certificate of Incorporation" and any amendments thereto.
- e. If Synkote is a subsidiary or affiliate of another company, or has subsidiaries, or is a successor to another company, identify these related companies. For each related company, describe the relationship to Synkote indicate date and manner in which each relationship was established.
- f. Identify any predecessor organizations and the dates that such companies became part of Synkote.

- g. Identify the date of incorporation, state of incorporation, agents for service of process in the state of incorporation and New Jersey, and nature of business activity, for each company identified in Questions 1e,f, and g above.
- h. Provide a copy of your deed to Synkote's Property and all purchase and sale agreements and leases made between 1950 and 1988 with respect to the Site.
- i. For each person identified in (b) above, explain in detail for the period of 1979 to the present:
- 1) each person's responsibility, including but not limited to his/her management duties.
 - 2) the amount and value of shares owned.
2. In identifying a company that no longer exists, provide all the information called for in Question 1, except for the agency for service of process. If your company did business under more than one name, each name should be designated.
3. When did you acquire the real property located at 144-160 Van Riper Avenue, Elmwood Park, New Jersey (hereinafter the "Site")? Provide a copy of your deed to the Site.

4. Provide the name, current address and telephone # of the prior owner of the Site.
5. Describe the Site at the time you acquired it. If there was any business at the Site, identify the nature of the business.
6.
 - a. Did your manufacturing company have a permit or permits issued pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq.? If so, identify the permit by date of issue and EPA Identification Number.
 - b. Identify and provide copies of any other permits, licenses or other authorization held by yourself or your business which enabled Synkote Paint to handle hazardous substances.
7. During the period of your ownership of the Site, identify and describe in detail all transactions (including, but not limited to, sales, leases, and rentals) which you and/or Synkote Paints have had in connection with the Site. For each transaction:

- a. Identify the portion(s) of the Site which was the subject of the transaction(s) and provide the period(s) time.
 - b. Identify the name(s) of each person and/or entity involved and the nature of their operations at the Site.
 - c. Identify in detail the amount and form of payment to you (i.e., cash, monthly check delivered personally at the Property, check delivered by mail, etc.).
 - d. Provide name(s) and address(es) of any agent(s) you may have used to arrange any of the transactions. Provide copies of contract(s) and/or agreement(s) with your agent(s).
 - e. Explain in detail how many times you visited the Site during the period of time of each transaction and describe the nature of your visit.
8. Did you know or have reason to know that any CERCLA waste material was disposed of at the Site prior to your acquisition. Describe all investigations and inspections you undertook prior to your purchase.

9. When and how did you and/or Synkote Paints first know or have reason to know that CERCLA waste materials were or may have been generated, treated, stored or disposed of at the Site.
 - a. Did you take any measures to abate and/or stop the contamination? If so, explain in detail.
 - b. Did you notify anyone of the contamination? If so, explain in detail.
10. During your ownership of the Site, describe all releases or threats of releases of any kind into the environment of any hazardous materials that have occurred or may occur at or from the Site, during your ownership, including but not limited to:
 - a. When such releases occurred or may occur.
 - b. How the releases occurred or may occur.
 - c. What hazardous materials were released or may be released.
 - d. What amount of each such hazardous material was so released.

- e. Where such releases occurred or may occur.
 - f. Any and all activities undertaken in response to each such release or threatened release.
 - g. Any and all investigations of the circumstances, nature extent or location of each such release or threatened release including, the results of any soil, water (ground and surface), or air testing that was undertaken.
 - h. All persons with information relating to subparts a. through g. of this Question.
11. If any release or threatened release identified in response to Question [#10], above, occurred into any subsurface disposal system or floor drain inside or under any buildings located on the Site, further identify:
- a. Where precisely the disposal system or floor drains are and were located.
 - b. When the disposal system or floor drains were installed.

- c. Whether the disposal system or floor drains were connected to pipes, and if so, the purpose of such pipes.
 - d. Where such pipes are or were located.
 - e. When such pipes were installed.
 - f. How and when such pipes were replaced, repaired, or otherwise changed.
12. Describe the nature of the activities conducted at the Site during your ownership, including:
- a. the services performed and;
 - b. all products which it has manufactured, supplied, or sold.
13. Describe each waste stream generated by the Site during your ownership, including:
- a. the process that was the source of each waste;
 - b. the nature of each waste;

- c. the quantity of each waste generated;
 - d. the method of treatment, storage, and disposal of each waste;
 - e. the identity of each person responsible for the treatment, storage, and disposal of each waste including all supervisors and all contractors; and
 - f. any analyses which were made of any waste. Provide copies of all analytical documents.
 - g. Submit a copy of each and every document which relates to the generation of "CERCLA waste material" at the Synkote Paints facility. If you are unable to provide a copy of any document, then identify the document by describing the nature of the document (e.g., letter, file memo, invoice, inventory form, billing record, record of payment, etc.). Describe the relevant information contained there in and why you are not able to provide the document.
14. Indicate which of the following waste types were included in the material identified in question 13:

- a. fuels
- b. asbestos
- c. ignitables
- d. polychlorinated biphenyls
- e. transformers
- f. inks or dyes
- g. paint
- h. thinner
- i. solvents
- j. medical wastes
- k. sewage sludge
- l. acids
- m. caustics

15. How many underground storage tanks (UTSs) are located at the Site?

- a. What is the approximate age of each tank? Also, indicate the age of any UTSs that were removed from your property, date of removal, and the contents of the tanks.
- b. What are the integrities of these UTSs? Provide any documents that would indicate the integrities of the UTSs.

- c. What was the past contents of the USTs during your ownership of the Site.
16. During your ownership, provide details of all storage of chemicals at the Site in above and underground storage. Provide a property map depicting Synkote Paint's storage plan.
17. During your ownership, did Synkote Paints accept any waste for disposal at your facility. If so, list the names and addresses of all customers, and the type of waste accepted.
18. Did Synkote Paints or you individually ever have any financial business relationship with National Community Bank of New Jersey? If so, provide the following:
- a. description of the business relationship
 - b. copy of all financial transactions between the Bank and the Site such as loan applications and mortgage agreements.
19. Did any of the loan agreements made with Synkote Paints contain any land usage restrictions?

20. Did any of the loan agreements made with Synkote Paints reserve any power to the National Community Bank of New Jersey in the operation or ownership of the Site? If so, describe the nature and scope of the control.
21. State and explain the following and submit copies of all relevant documents for each answer.
 - a. When did you and/or Synkote Paints default on their loans?
 - b. When did the Bank commence foreclosure proceedings?
 - c. Was the Site in the possession of the Bank or the borrower after foreclosure?
 - d. When did the Bank obtain a judgement?
 - e. When did the Sheriff sell the Site?
22. State whether there exist any agreements or contracts (other than an insurance policy) which may indemnify your company, present owners of shares in the company, for any liability that may result under CERCLA for any release at the Site. If so, please provide copies of all such agreements or

contracts. Identify any agreement or contract that you are unable to locate or obtain.

23. State whether any insurance policies have ever been in effect which may indemnify your company against any liability which your company may have under CERCLA for any release or threatened release of hazardous substance that may have occurred at the Sanitary Landfill. If so, please provide copies of all such policies. Identify any policy that you cannot locate or obtain by the name of the carrier, years in effect, nature and extent of coverage, and any other information you have.
24. Provide copies of financial statements, reports, or projections prepared by, or on behalf of the Company for the past three years of the company's existence, including banks and other financial institutions.
25. For you and each presiding officer of Synkote:
- a. state your total assets and liabilities for each of the the last three fiscal years of the company's existence.
 - b. provide copies of your income and balance sheet statements for the last three fiscal years of the company's existence.

26. From the time period of 1956 to the present, identify all property and casualty insurance (i.e., comprehensive general liability, environmental impairment and automobile liability insurance) in connection with the Property. Provide name and address of insurer, policy, effective dates, and limits of each policy. Provide copies of all documents.

27. For each presiding officer of Synkote, identify in detail:

- a. All ownership interest(s) in any real property. List each parcel of property, and state the estimated value of each.
- b. All ownership interest(s) in personal property, exclusive of items worth less than fifty dollars. List and state the estimated value of each.
- c. All ownership interest(s) in any business. List each business and the present value of your interest in the business and its percentage of the total value of the business.
- d. All ownership interest(s) in any stocks, bonds, or other securities of any class in any government, governmental

organization, company, firm or corporation, whether foreign or domestic.

- e. All business bank accounts, personal checking or savings account, or joint savings or checking accounts with anyone else. List each account and the estimated balance in each account as of the date you answer this question.
 - f. All safe deposit box(es) or other depository for securities, cash or other valuables?
 - g. Is any of the real or personal identified above, either individually, jointly, or otherwise, encumbered by either a real estate mortgage, chattel mortgage or any other type of lien? If so, describe in detail.
28. Submit any additional information which may help EPA to identify companies or individuals who disposed of CERCLA waste material at the Site.
29. State the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge of the responses. In addition, identify each

person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding.

National Community Bank
Request for Information

1. a. State the correct legal name of your financial institute.
 - b. State the name(s) and address(es) of the president and/or the chairman of the board, or other presiding officers of your financial institution.
 - c. Identify the state of incorporation of the financial institution and the Bank's agent for service of process in the state of incorporation and in New Jersey.
Provide a copy of the Bank's "Certificate of Incorporation".
 - d. If the financial institution is a subsidiary, branch or affiliate of another institution, identify these related entities.
2. Did National Community Bank of New Jersey (hereinafter the "Bank") conduct any business transaction(s) with Richard E. Max or Diane B. Max of River Val, New Jersey? Describe in detail all transactions and provide the supporting documentation, ie. loan application(s) and mortgage agreements.

3. Did the Bank ever have any financial business relationship with the industrial site known as Synkote Paint Company (hereinafter the "Site") located at 144-160 Van Riper Avenue, Elmwood Park, New Jersey? If so, provide the following:
 - a. Detailed description of the business connection(s) with the Site.
 - b. Copy of all financial transaction, documents between the Bank and the Site, such as loan applications and mortgage agreements.
4. Prior to the approval of loan applications for Richard and Diane Max and/or Synkote Paint, did the Bank inquire into the nature of the planned property usage? If so, what was the response(s).
5. Did any of the loan agreements made with Richard and Diane Max and/or Synkote Paint contain any land usage restrictions? or reserve any power of the Bank in the operation of the business?
6. At any time, did the Bank know or have reason to know that any CERCLA waste materials was disposed of at the Site?